IN THE HIGH COURT OF JUDICATURE AT PATNA
FA No.448 of 1996
STATE OF BIHAR
Versus
RAMJI SAH

18- 12.11.2008 Mr. Anil Kumar Jha, learned Government Advocate No.2 for the appellant is present. None appears on behalf of the respondent. This appeal was disposed of by order dated 3.3.2003, with the observation that "...the appeal is accordingly dismissed as withdrawn with costs throughout...". By its note dated 30.6.2008 the office put up the note-sheet of the Decree Department dated 30.5.2008 (Flag-A), wherein defect in the said order dated 3.3.2003, was pointed out. In that view of the matter, the order dated 3.3.2003 is hereby modified and the expression "the appeal is accordingly dismissed as withdrawn with costs throughout", occurring therein is replaced by the following expression:

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"...The appeal is accordingly dismissed as withdrawn with costs."

2. The said office note dated 30.6.2008 was for the first time placed before the Bench on 2.7.2008, and the delay in putting up before the Bench was directed to be enquired into. The learned Joint Registrar (Judicial)

has submitted his report dated 10.11.2008, fixing the responsibility for the delay in putting up the matter before the Bench. Decree has not so far been prepared when the appeal was disposed of on 3.3.2003. Since it needs action on the administrative side, put up the records before the Hon'ble the Chief Justice.

(S K Katriar, J.)

S.K.Pathak/

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